

January 5, 2023

VIA EMAIL

The Honorable John P. Cronan
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007
Email: Temporary_Pro_Se_Filing@nysd.uscourts.gov

Re: Plaintiff's Request for Voluntary Dismissal without Prejudice
Roe v. New York State Board of Law Examiners, 1:22-cv-10298 (JPC)

Dear Judge Cronan:

As the plaintiff in the above-entitled action, I'm writing today to respectfully request that the Court dismiss this action without prejudice. The undersigned acknowledges that he recently expressed his intent to proceed with this action, *see* ECF Dkt. No. 19, and if anything, his views and position remain entirely unchanged.¹

With 47 days until the bar, however, I'd like to shift my remaining time and energy to exam preparation and success. In all events, I've appreciated the Court's consideration, along with court personnel who have been incredibly helpful and accommodating.

Thank you very much.

Very truly yours,

/s/
Richard Roe
Plaintiff

Per its terms, this letter seeks a court order of dismissal, which is governed by Rule 41(a)(2) of the Federal Rules of Civil Procedure. If Defendant opposes Plaintiff's request, it shall file a letter stating its opposition by January 13, 2023. If no letter is filed, the Court shall treat Plaintiff's request as unopposed. Alternatively, because Defendant has filed neither an answer nor a motion for summary judgment, Plaintiff may dismiss this case under Rule 41(a)(1)(A)(i) by filing a notice of voluntary dismissal, rather than seeking dismissal by the Court. In either case, the Court wishes Plaintiff good luck on the upcoming exam, and expresses its confidence that with hard work over the next two months he will be able to achieve a passing grade.

cc: Elizabeth Figueira, Esq. (by ECF and email)

¹ Nothing contained in this letter should be construed as type of waiver, admission, or modification of Plaintiff's rights and so on.

SO ORDERED
Date: January 6, 2023
New York, New York


JOHN P. CRONAN
United States District Judge